

17.01.2023.
25.
Ct.No.28.
as
(Allowed)

C.R.M. (DB) 168 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra P. S. Case No.484 of 2022 dated 09.08.2022 under Sections 188/307/324/332/333/337 of the Indian Penal Code and Sections 25/27 of the Arms Act.

In the matter of : Tarik Biswas.

.... Petitioner.

Mr. Sumanta Das,
Ms. Mallika Manna.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Anindya Sundar Chatterjee.

...for the State.

Petitioner is in custody for 160 days. It is submitted he is not named in the first information report. He has been falsely implicated in the instant case. Co-accuseds are on bail. He prays for bail.

Learned Advocate for the State opposes the prayer for bail. He submits petitioner and the co-accuseds had obstructed the BSF personnel from conducting raid. They fired at a BSF personnel. One of the BSF personnel suffered gun shot injury.

We have considered the materials on record. Petitioner was not named in the first information report. Co-accuseds are on bail.

Keeping in mind the extent of complicity of the petitioner, period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner viz., Tarik Biswas shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnanagar subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the Trial Court without any justifiable cause, the trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)